

REMARKS

Claims 1-15 are pending in the application, of which claims 1 and 13-15 are independent. Reconsideration and further examination are respectfully requested. The Applicant acknowledges with gratitude the indication in the Office Action that claim 14 recites statutory subject matter under 35 U.S.C. § 101.

Claims 1, 2, 6-8 and 10-15 were rejected under 35 U.S.C. § 102(e) as being taught by U.S. Patent No. 6,662,194 (Joao). Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,968,513 (Rinebold). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,868,389 (Wilkins). Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

According to the method recited in claim 1, inquiry data is received, the inquiry data is related to an inquiry of a user with a listing service about a listing posted by an entity other than the user. A user's lead is created in response to the user's inquiry using the received inquiry data, the user's lead is to be pursued by the user that makes the inquiry with the listing service. The user's lead is stored as a lead record in a database. An action record associated with the lead record is created each time an action to be taken in furtherance of the user's lead is identified, and the action record is stored in the database. The lead and action records comprise information to provide the user with a status of the user's lead. A user interface is communicated to the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services. (emphasis added).

Joao is understood to disclose an apparatus and method for providing job searching services, recruitment services and/or recruitment-related services for respective individuals, employees, independent contractors, freelancers, employers and/or hiring entities. Joao fails to teach, suggest or disclose a user interface communicated to the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services.

The Office Action states that Joao discloses this claimed element at col. 22, lines 51-53 and col. 23, lines 5-13. (Office Action, page 5). Col. 22, lines 51-53 of Joao states:

The results of the search can also be provided to the individual by being displayed on the display device 20E and/or by being printed via the output device or printer 20I.

Col. 23, lines 5-13 of Joao states:

Any data and/or information described as being transmitted between the parties, and/or between the respective computers, can be transmitted electronically, such as via e-mail, electronic message transmission, telephone call, telephone message, facsimile transmission, pager message, and/or physical mail delivery.

Neither of these passages of Joao, however, disclose a user interface communicated to the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services. Specifically, Joao's transmitting data between parties electronically (e.g., via email) is not the same as communicating a user interface to a user, where the user interface includes information related to a user's lead received from one or more ancillary services. Applicant's specification (for example, paragraph [0027]) states that an ancillary service includes calendars, e-mail, task/to-do lists, etc. Thus, the user interface includes information related to a user's lead received from one or more ancillary services. Joao does not disclose this claimed limitation. Since Joao fails to teach the elements of the claims of the present application, independent claim 1 is not anticipated (nor rendered obvious by) Joao.

Furthermore and as is discussed below, since Rinebold, which the Office Action applies against claims 3-5, and Wilkins, which the Office Action applies against claim 9, each fail to teach, suggest or disclose at least the same elements not taught, suggested or disclosed by Joao, neither combination proposed by the Office Action can form the basis of a proper § 103(a) rejection.

Nothing in Rinebold, and in particular the cited portions of Rinebold, teaches, suggests or discloses communicating a user interface accessible by the user that comprises information from the lead and action records, and information related to the user's inquiry received from one or more ancillary services. As discussed above, Joao also fails to teach, suggest or disclose at least this claim element. Since both Joao and Rinebold each fail to teach, suggest or disclose at least the element of communicating a user interface accessible by the user that comprises information from the lead and action records, and information related to the user's inquiry received from one

or more ancillary services, the combination of Joao and Rinebold cannot form the basis of a proper § 103(a) rejection.

Wilkins is limited in its focus to the identification of individuals that are financially capable of making, or ready to make, a purchase for direct sales and marketing organization as "intender leads." Wilkins focuses on leads for direct sales and marketing organizations. Wilkins fails to teach, suggest or disclose communicating a user interface accessible by the user that comprises information from the lead and action records, and information related to the user's inquiry received from one or more ancillary services. Since both Joao and Wilkins each fail to teach, suggest or disclose at least the element of communicating a user interface accessible by the user that comprises information from the lead and action records, and information related to the user's inquiry received from one or more ancillary services, the combination of Joao and Wilkins cannot form the basis of a proper § 103(a) rejection.

For at least the foregoing reasons, claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons, claims 13-15 are believed to be in condition for allowance. In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should matters remain which the Examiner believes could be resolved in an interview, the Examiner is requested to telephone the Applicant's representative. The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

Respectfully submitted,



James J. DeCarlo
Reg. No. 36,120

Date: September 11, 2008

Customer Number 76058
GREENBERG TRAURIG, LLP
Met Life Building
200 Park Avenue, 20th Floor
New York, New York 10166
Phone: (212) 801-9200
Fax: (212) 801-6400